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leavened Bread," "Senator North," "A
Gentleman from Indiana," "The Black
Wolf's Breed," "For the Queen in South
Africa," "Currita, Countess of Albor-
nos," "The Voice of the People," "Rob-
ert Tournay" in "Pursuit of the Fouse-
boat," "Janice Meredith," "A Name to
Conjure With," "Monsieur Beaucaire,"
"The Autobiography of a Grizzly," "The
End of an Era," "Deacon Bradbury,"
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Pensacola Street.

Ah SING RELEASED

Judge Estee's Decision
Frees Him.

HABEAS CORPUS MATTER

He Has Status of American Sailor—
Pacific Heights Case on Trial—
Other Court News.

Judge Estee yesterday rendered a
decision in the Ah Sing habeas corpus
matter, releasing Ah Sing from cus-
tody and permitting him to land in the
Islands.

In a lengthy written opinion Judge
Estee says that according to the evi-
dence Ah Sing has been a resident of
the United States for over twenty
years, and that for most of that period
he has been a sailor of the port of New
York. He shipped on the vessel from
New York for Honolulu in April last,
and when she arrived here her captain
discharged his crew, and among them
being Ah Sing. But Ah Sing was re-
fused a landing by Collector Stackable
on the usual grounds.

Judge Estee states that he believes
that the Chinese Exclusion act cannot
be made to apply to the present case.
Its purpose was to keep out immi-
grants, and Ah Sing could not be class-
ed as an immigrant. He was in reality
an American sailor, sailing from one
American port to another, and as such
he was entitled to land in this port.

So Ah Sing was ordered released and
he was landed. It is stated that he has
already shipped on the E. B. Sutton.

PACIFIC HEIGHTS CASE.

Before Judge Humphreys yesterday
the Pacific Heights land case was on
trial all day long. Mrs. Sarah Berger,
the complainant, was on the stand most
of the day. She is a large, fine looking
woman, and she was becomingly clad
in black. She withstood the ordeal of
cross-examination well, telling of all her
differences with the members of her
family here out of which arose the
present suit. It is likely that the case
will continue most of today.

The suit was brought by Mrs. Berger
against her brother, C. W. Booth and
C. S. Desky, who is the present owner
of the Pacific Heights property. Mrs.
Berger had sold the property to her
brother for a sum which she now be-
lieves is much below its real value. It
was subsequently sold to Desky, who
improved it and put it upon the market
as building lots. When Mrs. Berger
realized how the value of the property
had increased she brought suit to have
the deed made by herself set aside.
Kinney, Ballou & McClanahan repre-
sent the defense in the case, and Geo.
A. Davis is looking after Mrs. Berger's
interests. The case will continue today.

PETITION FOR LETTERS.
W. O. Smith has applied to the Cir-
cuit Court for appointment as admin-
istrator of the estate of Henry D. Rob-
erts, who died on April 23d. He states
that the estate is valued at \$15,600, and
is subject to mortgage debts amounting
to \$10,250.

SAILORS GET JUDGMENT.

Judge Estee yesterday rendered judg-
ment for the sailors who libeled the
schooner Enterprise for their wages
some time ago. The case arose out of
a conflict between the first mate, Fred-
erick Birkin and Captain Fritsch,
wherein the mate was knocked down.
When he reached Honolulu from San
Francisco, whence the vessel sailed, he
immediately left the vessel and brought
suit with others of the sailors for
wages. He likewise caused the arrest
of Captain Fritsch on the charge of
assault. It is in the libel suit that he
obtains judgment.

WILLIAM CARSON CASE.

Two elaborate wooden models of
ships, one representing the ill-fated
ship William Carson, which was sunk
off Waikiki some months ago, and the
other the steamer Claudine, which ran
the Carson down, attracted much at-
tention in the Supreme Court yester-
day, where the case of Hind vs. the
Wilder Steamship Company, was on
trial. It is an appeal from the Circuit
Court, where the agents of the William
Carson received judgment for \$5,000
shortly after the accident occurred. E.
B. McClanahan and H. A. Bigelow ap-
peared for the appellants, and Paul
Neumann for the plaintiff.

In the morning there were arguments
before the Supreme Court on the Wa-
hawa water case.

THREE NEW CITIZENS.

But three applicants for naturaliza-
tion papers presented themselves yester-
day before Judge Estee. They were
given citizenship papers and departed
happy. They were: Harry T. Mills of
England, E. E. Boyle of Barbadoes, K.
Nielsen of Denmark.

HACKMAN AFTER HEAVY DAMAGES

Man John Emmeluth Struck
With a Whip Wants
\$2500.

The outcome of a whip wielding affair
which occurred on the night of August
5, in which John Emmeluth, the plumber,
and John Harrub, the well known hack-
man, were the principals and in which
the latter received a severe cut across his
face has culminated in an action brought
in the Circuit Court against Emmeluth.
The complainant claims damages in the
sum of \$2,500 by reason of the injuries
done to his person and feelings, and asks
that the case be tried before a jury at the
November term of the Circuit Court.

Harrub's complaint reads as follows:
"The undersigned complains of John
Emmeluth, residing in Honolulu, and
claims of him the sum of \$2,500 as dam-
ages resulting to him because of injuries
done by said defendant to the person and
feelings of the plaintiff in that the de-
fendant did on the 5th day of August,
1899, between the hours of 5 and 6 o'clock
in the afternoon in said Honolulu malic-

iously, forcibly, and without any provoca-
tion whatsoever, inflict a corporal injury
on the plaintiff, to wit, a cut on the face,
which the plaintiff alleges was done in
contravention of his private rights under
the laws.

"Wherefore the undersigned prays
judgment and his damages by him sus-
tained by reason of the commission of the
said injury to be adjudged to him, to-
gether with the costs of this action."

The hackman had Emmeluth arrested
for cutting his face the day after the
whip wielding incident. The evidence ad-
duced in court was to the effect that while
Emmeluth and Harrub were driving past
each other, Emmeluth took exception to
remarks which were alleged to have been
made by Harrub. The former sprang
from his buggy and belabored the hack-
man with his whip. Harrub was victori-
ous in the Police Court action.

In the Police Court.

Only four cases were presented in the
District Court yesterday and were dis-
posed of as follows: Sing Wo, unlaw-
ful possession of opium, continued to
September 20; Ah See, gambling, \$10
and costs; Chas. Handa, drunkenness,
reprimanded and discharged; Antone
Wells, desertion, September 20.

HAS BIG FEET Schnack Accused Of Damaging Grass.

Mrs. Emma Nakuina in an Action
for Trespass Says Broker
Spoiled Her Land.

J. H. Schnack, the real estate broker,
must answer to the soft impeachment
that his feet are big and costly. Mrs.
Emma Nakuina, who owns a certain
piece of property at Kalihi, alleges in
an action for trespass against the
broker that Schnack with "his feet in
walking trod down and damaged the
grass then there growing." In other
words Schnack is accused of not letting
the grass grow under his feet. People
who are in the habit of not allowing
the grass to grow under their feet are
generally supposed to be on the way to
wealth and fame. Mrs. Nakuina thinks
otherwise and asks the court to make
Schnack pay for it.

Mrs. Nakuina has brought the action
in the Circuit Court for alleged damage
done by the broker to her Kalihi prop-
erty. She alleges that Mr. Schnack
entered the premises by other means
than the usual gateway. She avers he
broke down, spoiled and damaged the
fences surrounding the property, and
that the woodwork was generally
smashed into smithereens. Not only
was this done but she states that he
dug up and carried away the soil on
the premises. But it was Schnack's
feet on which the plaintiff lays particu-
lar stress and they may have carried
away some of the soil. At any rate
they were guilty of treading down the
grass to such an extent that it was
worn away. She says that "continuing
the said trespass as to treading down
the grass in walking thereon at divers
days and times from the 26th day of
July to the time of the commencement
of this suit, and other wrongs, and
thereby and therewith, during all the
time aforesaid, greatly incumber the
said close and prevented the plaintiff
from having the use thereof in so ample
a manner as she otherwise would have
done."

All this, Mrs. Nakuina states, was
done by force and arms (or feet) and
with a design to injure her; that
Schnack did at various times break
down embankments about two patches,
and removed the boundaries of the en-
tire property, thereby destroying many
of the monuments and land marks
erected for the purpose of indicating its
boundaries. She claims \$2,000 damages.
Lorrin Andrews for plaintiff.

EDUCATION IN HAWAII.

Comments of a Leading School Pa-
per of the Coast.

One of the most interesting docu-
ments that have come to this office is
the report of the Minister of Public In-
struction of Hawaii, sent by the In-
spector-General, Henry S. Townsend.
Mr. Townsend will be remembered as
one of the most prominent guests of
the N. E. A. at Los Angeles, Cal. The
report contains much valuable infor-
mation about the schools of Hawaii. It
also contains this tribute to Dr. Brown
of the University of California, who as-
sisted them in forming a course of
study: "Dr. E. E. Brown rendered the
cause of education in Hawaii a service
at this time, especially by fostering
local leadership in educational thought
and work. The following September
this course of study went into the
schools. Although progress along this
line has been steady, and, perhaps
considering all the circumstances, sat-
isfactory, it has not been notably
rapid."—Western Journal of Education.

Thanks the Committee.

Honolulu, Sept. 19, 1900.
Editor Advertiser:—In behalf of the
Regatta Committee I beg to thank you
for kind services rendered in assisting
to make a success of the Regatta, both
at Pearl Harbor and in Honolulu Har-
bor, on the 8th and 15th inst.

Yours very truly,
J. F. SOPER,
For Regatta Committee.

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ing cured," says John S. Hallaway of
French Camp, Miss. "I had spent so
much time and money and suffered so
much that I had given up all hopes
of recovery. I was so feeble from the
effects of the diarrhoea that I
could do no kind of labor, could not
even travel, but by accident I was per-
mitted to find a bottle of Chamberlain's
Colic, Cholera and Diarrhoea Remedy,
and after taking several bottles I am
entirely cured of that trouble. I am so
pleased with the result that I am an-
xious that it be in reach of all who suffer
as I have." For sale by Benson, Smith
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Capital, paid up \$55,000.

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3 1/2 per cent; 12 months, 4 per cent.

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Honolulu, September 7, 1898.

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